

71. (New) The device of claim 70, wherein said opening in said mounting portion is rectangular.

72. (New) The device of claim 68, further comprising a means for limiting reciprocation between said mounting portion receptacle and the trailer hitch apparatus.

73. (New) An apparatus for converting a trailer hitch apparatus to a temporary storage device comprising:

a vehicle storage compartment having a bottom, a plurality of sides and a top, each of said side coupled to said bottom and to adjacent of said plurality of sides, and said top coupled to at least one of said plurality of sides;

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a receptacle having first and second ends;

a mount disposed on said first end of said receptacle; and

said receptacle being coupled to one of said plurality of sides such that said mount is disposed substantially flat on said one of said plurality of sides and said second end extends into said vehicle storage compartment.

74. (New) The storage compartment of claim 73, wherein said mount is integrally formed in said one of said plurality of sides.

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**REMARKS**

On behalf of the Applicant, the undersigned attorney respectfully acknowledges receipt of the Office Action dated November 27, 2001. The undersigned attorney is new to this case. A Power of Attorney appointing the undersigned to act on Applicant's behalf was filed on February 15, 2002.

In the Office Action, the Examiner objects to the drawings. The Examiner rejects claims 3 and 17-20 under 35 U.S.C. 112, first paragraph, as containing subject matter not described in the specification, and rejects claims 1-20 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. The Examiner further rejects claims 1-4, 6-11, 16, 17, 37-40, 42-47, 52, 53, and 58 under 35 U.S.C. 102(b) as being anticipated by *Blaser* (U.S. Patent No. 5,277,447). The Examiner further rejects claims 1, 9-11, 37, and 45-47 under 35 U.S.C. 102(b) as being anticipated by *Carsten* (U.S. Patent No. 5,322,315). The Examiner further rejects claims 5 and 41 under 35 U.S.C. 103(a) as being obvious over *Blaser* in view of *Kravitz* (U.S. Patent No. 5,735,539). The Examiner further rejects claims 12-15, 18-36, 48-51, and 54-57 under 35 U.S.C. 103(a) as being obvious over *Blaser*.

### **Objections to the Drawings**

The Examiner objects to the drawings under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. Figures 6a and 6b were filed with the Preliminary Amendment filed November 1, 2001 and are re-submitted herewith. Figures 15 and 16 are filed concurrently herewith. Applicant respectfully contends that these figures do not add new matter. Additionally, support for Figures 15 and 16 can be found, for example, in Paragraphs 0035 and 0036 and Figure 12 of the substitute specification. This disclosure was a part of the original specification. A proposed drawing amendment is filed contemporaneously herewith.

### **Claims**

The Examiner rejects claims 1-58 in the Office Action. Applicant cancels claims 1-58 and adds claims 59-73.

Applicant respectfully submits that newly submitted claims 59-72 are patentable over the prior art at least because none of the cited references teaches a trailer hitch receptacle attached to an immovable wall, such as the wall of a garage, dwelling, or storage warehouse. Additionally, none of the cited references teaches an end of the receptacle extending into the wall such that the mounting portion is substantially flat with the wall. Prior to Applicant's invention, when a trailer hitch apparatus (such as a bike rack or equipment rack) was not attached to a vehicle, the apparatus was typically stored in the corner or floor of a structure such as a garage, dwelling, or storage house, cluttering up useful space and presenting an obstacle for moving about that space. Moreover, in such situations, the apparatus is no longer useful as a storage device. For example, assuming that the apparatus was a bike rack, one could no longer store bikes on it because it rested on the floor or was placed in a corner. As another example, assuming that the apparatus was an equipment rack, it would provide no more benefit than placing the equipment (*i.e.*, cooler) on the floor because the rack itself was stored on the floor. The present invention overcomes these problems by allowing the trailer hitch apparatus to be mounted on a wall above the floor. This permits placement of the apparatus above the floor of the garage, dwelling or storage warehouse, thereby freeing up useful space on the floor and, simultaneously, creating additional valuable storage space above the floor.

The prior art does not disclose or suggest Applicant's invention. For example, *McWethy* and *Klemetsen* only show a tow hitch for towing a trailer behind a vehicle. *McWethy* and *Klemetsen* do not disclose or suggest mounting a receptacle to the wall of an immovable structure to conveniently store various trailer hitch apparatuses. Accordingly, Applicant respectfully submits that new claims 59-72 fully comply with 35 U.S.C. § 102 and 103 and are in condition for allowance.

Another disadvantage of the prior art is that once a trailer hitch apparatus has served its purpose (*i.e.*, the bicycle or other cargo has been offloaded), it must remain extending from the rear of one's vehicle, where the driver either cannot see it or cannot accurately judge how far it is extending off the rear of the vehicle. This increases the likelihood that the apparatus will strike another vehicle or object, despite the fact that the apparatus' purpose has been served. Additionally, many prior art trailer hitch apparatuses are made from a material that may rust from contact with moisture or are coated with a material (such as paint) that may crack from contact with the sun. Therefore, once its purpose has been served, it would be advantageous to remove the device from its position protruding from the vehicle's rear and to shelter the apparatus from the elements. The present invention overcomes these disadvantages. For example, claims 73 and 74 recite a vehicle storage compartment having a receptacle attached thereto. This allows the trailer hitch apparatus to be removed from the rear of the vehicle, securely placed in the storage compartment, and removed from the elements, each being a distinct benefit over the prior art.

### **Conclusions**

During the course of these remarks, Applicant has at times referred to particular limitations of the claims which are not shown in the applied prior art. This short-hand approach to discussing the claims should not be construed to mean that the other claimed limitations are not part of the claimed invention. They are as required by law. Consequently, when interpreting the claims, each of the claims should be construed as a whole, and patentability determined in light of this required claim construction. Unless Applicant has specifically stated that an amendment was made to distinguish the prior art, it was the intent of the amendment to further clarify and better define the claimed invention and was not an amendment for the purpose of patentability. Further, although Applicant has amended certain claims, Applicant has not abandoned its pursuit of obtaining the

allowance of these claims as originally filed and reserves, without prejudice, the right to pursue these claims in a continuing application.

Reconsideration of the newly submitted claims and the allowance thereof is respectfully requested. Applicant invites the Examiner to contact the undersigned to conduct an interview should an interview expedite the resolution of this application.

Respectfully submitted,



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